

REMARKS

Claims 1-10, 12-39, 41, 43-84, 87, 90, 102-107 and 110-133 are currently pending in the application. No claims have been amended or canceled. Applicant respectfully requests reconsideration of the application in view of the following remarks.

Claims 1-10, 12-25, 28-39, 41, 43-66, 68-71, 73-74, 80-84, 87, 90, 103-105, 110-116, 118-130, and 132-133 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Publication No. 2002/0166891 to Stoutenburg et al. ("Stoutenburg '891 CIP"). Applicants respectfully traverse. Stoutenburg '891 CIP was filed on April 3, 2002 as a Continuation-in-part of U.S. Application No. 09/634,901 ("09/634,901") which was filed on August 9, 2000. Applicant respectfully points out that several features present in Stoutenburg '891 CIP were added during the Continuation-in-part filing and were not present in the originally filed application 09/634,901. Since the filing date of the Applicant's application is April 4, 2001 which is earlier than the filing date of Stoutenburg '891 CIP, Applicant respectfully submits that Stoutenburg '891 CIP is not a properly citable reference against the claims.

More specifically, Applicant respectfully submits that the feature of a communication interface coupled to a central document clearinghouse and adapted to communicate a document image following customer authorization of an agreement to the central document clearinghouse for automated account clearing processing of the document is not present in 09/634,901 but was instead added during the Continuation-in-part filing of Stoutenburg '891 CIP.

The originally filed application 09/634,901 teaches an integrated point-of-sale payment terminal for processing multiple payment types preferably including payment by debit, payment by credit, payment by smart card, and payment by check. The payment terminal comprises a magnetic strip reader, a magnetic ink character recognition device, an imaging device, a smart card reader, a printing device and a modem. The originally filed application 09/634,901 further teaches a communication between the terminal and a host. The primary function of this communication is to get approval for a check being scanned. Approval includes a set of eligibility rules at the host that determines eligibility status for the transaction as an electronic check conversion. The communication also incorporates sending scanned images of the check. Applicant respectfully submits that 09/634,901, however, fails to teach or suggest a central document/check clearinghouse or its operation and procedures. An "automated account clearing process" in this context refers to, and means, the use of electronic funds transfers to

clear the financial account issues associated with the presented document. In addition, the host as taught in 09/634,901 is not disclosed as being capable of operation as a central document clearinghouse for automated account clearing processing following customer authorization of the agreement. Furthermore, 09/634,901 fails to teach or suggest communicating the acquired document/check images through an interface to a clearinghouse for automated account clearing. Applicant respectfully submits that claims 1, 32, 57, 80, 103, 110-116 and 118 are in condition for allowance. Withdrawal of the rejection of claims 1, 32, 57, 80, 103, 110-116 and 118 is respectfully requested.

Dependent claims 2-10, 12-25 and 28-31 depend from and further restrict independent claim 1 in a patentable sense. Dependent claim 33-39, 41 and 43-56 depend from and further restrict independent claim 32 in a patentable sense. Dependent claims 58-66, 68-71 and 73-74 depend from and further restrict independent claim 57 in a patentable sense. Dependent claims 81-84, 87 and 90 depend from and further restrict independent claim 80 in a patentable sense. Dependent claims 104-105 depend from and further restrict independent claim 103 in a patentable sense. Dependent claims 119-130 and 132-133 depend from and further restrict independent claim 118 in a patentable sense. Applicant respectfully submits that, for at least the reasons as set forth above with respect to the rejection of Independent claims 32, 57, 80, 103, and 118, respectively, dependent claims 33-39, 41, 43-56, 58-66, 68-71, 73-74, 81-84, 87, 90, 104-105, 119-130 and 132-133 are in condition for allowance.

Additionally, with respect to dependent claims 13, 45-46, 110, 113 and 124, Applicant respectfully points out that the feature of an electronic signature pad and an electronic pen adapted to receive a signature from a customer to execute an authorization agreement present in Stoutenburg '891 CIP was added during the Continuation-in-part filing and was not present in the originally filed application 09/634,901. Since the filing date of the Applicant's application is April 4, 2001, Applicant respectfully submits that Stoutenburg '891 CIP is not a properly citable reference against these claims. Furthermore, 09/634,901 does not teach or suggest the feature of the signature pad and the electronic pen. Applicant respectfully submits that claims 13, 45, 46, 110, 113 and 124 are in condition for allowance.

Furthermore, with respect to dependent claims 2, 44, 59, 82 and 128, Applicant respectfully points out that the feature of communicating field information along with a document image to a central document clearinghouse for automated account clearing processing of the document was added during the Continuation-in-part filing and was not present in the

originally filed application 09/634,901. Since the filing date of the Applicant's application is April 4, 2001, Applicant respectfully submits that Stoutenburg '891 CIP is not a properly citable reference against these claims. Furthermore, 09/634,901 does not teach or suggest the feature of communicating a field information along with a document image to a central document clearinghouse for automated account clearing processing of the document. Applicant respectfully submits that claims 2, 44, 59, 82 and 128 are in condition for allowance.

In addition, with respect to claim 22, Applicant respectfully submits that neither Stoutenburg '891 CIP nor 09/634,901 teach or suggest the feature of an input device through which a transaction amount is keyed in, means for recognizing a transaction amount in an imaged document, and comparing the recognized transaction amount against the keyed in transaction amount. Stoutenburg '891 CIP compares an account and institution against a list of known bad and/or suspicious accounts and not between the recognized transaction amount and the keyed in transaction amount as in claim 22. Applicant respectfully submits that claim 22 is in condition for allowance.

Claims 26-27, 67, 72, 75-79, 106-107, 117 and 131 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Stoutenburg '891 CIP. Applicants respectfully traverse.

Dependent claims 26-27 depend from an further restrict independent claim 1 in a patentable sense. Dependent claims 67 and 72 depend from an further restrict independent claim 57 in a patentable sense. Dependent claims 106-107 depend from an further restrict independent claim 103 in a patentable sense. Dependent claim 131 depends from an further restricts independent claim 118 in a patentable sense. Applicant respectfully submits that, for at least the reasons as set forth above with respect to the rejection of Independent claims 1, 57, 103 and 118, respectively, dependent claims 26-27, 67, 72, 106-107 and 131 are in condition for allowance.

Independent claims 75 and 117 disclose an automated check processing system. Applicant respectfully submits that the feature of a communication interface coupled to a central check clearinghouse and adapted to communicate image files to the central check clearinghouse for automated check clearing processing is not present in 09/634,901 but was added during the Continuation-in-part filing of Stoutenburg '891 CIP. Since the filing date of the Applicant's application is April 4, 2001 which is earlier than the filing date of Stoutenburg '891 CIP, Applicant respectfully submits that Stoutenburg '891 CIP is not a properly citable reference against the claims. Furthermore, 09/634,901 fails to teach or suggest communicating the

acquired document/check images through an interface to a clearinghouse for automated account clearing. Applicant respectfully submits that claims 75 and 117 are in condition for allowance. Withdrawal of the rejection of claims 75 and 117 is respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Dated: 1/13/04

Respectfully submitted,

By

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